

1 (Proceedings called to order)

2 THE COURT: Be seated.

3 All right. The Court is on the record in the case of
4 United States of America versus Arturo Arzate, Jr.,
5 EP-06-CR-1853.

6 Mr. Arzate, how are you this morning?

7 DEFENDANT ARZATE: Just fine, sir.

8 THE COURT: I called the case because Judge Montalvo
9 granted an order -- or granted a motion filed by your attorney,
10 Mr. Harris, to let him withdraw. And now -- well, the district
11 court wants me to take up the issue of whether or not you
12 qualify for a court-appointed attorney.

13 If you would, raise your right hand and I'll swear
14 you in.

15 (Witness sworn)

16 THE COURT: All right. I have in regard -- well,
17 first of all, is your name Arturo Arzate, Jr.?

18 DEFENDANT ARZATE: Yes, sir.

19 THE COURT: I do have, Mr. Arzate, this affidavit.
20 Apparently you helped fill that out this morning. Do you know
21 what I'm referring to?

22 DEFENDANT ARZATE: Yes, sir.

23 THE COURT: This affidavit, did you provide all of
24 the information in it?

25 DEFENDANT ARZATE: Yes, sir.

1 THE COURT: Did you sign it?

2 DEFENDANT ARZATE: Yes, sir.

3 THE COURT: Is all of the information you provided
4 true?

5 DEFENDANT ARZATE: Yes, sir.

6 THE COURT: I do find, based on your representations
7 in your financial affidavit, that you do qualify for a
8 court-appointed attorney. I am going to appoint the Federal
9 Public Defenders Office to represent you on your appeal in this
10 case.

11 Have you understood what we've done?

12 DEFENDANT ARZATE: Yes, sir.

13 THE COURT: All right. We'll be in recess.

14 (Proceedings concluded)
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1 CERTIFICATE OF ELECTRONIC RECORDING

2
3 I, Rhonda McCay, CSR, RPR, certify that the
4 foregoing is a correct transcription from the electronic
5 recording of the proceedings in the above-entitled matter.

6 I further certify that I am neither counsel for,
7 related to, nor employed by any of the parties to the action in
8 which this electronic recording was taken, and further that I
9 am not financially or otherwise interested in the outcome of
10 the action.

11
12
13
14 /s/ Rhonda McCay
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August 11, 2008
DATE

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